

Message Text

PAGE 01 STATE 114904
ORIGIN EA-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 INR-10 NSAE-00
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FM SECSTATE WASHDC
TO AMEMBASSY JAKARTA IMMEDIATE

UNCLAS STATE 114904

FOR ASSISTANT SECRETARY HOLBROOKE

E.O. 11652: N/A

TAGS: SOPN, US, VM

SUBJECT: PRESS COVERAGE OF HUMPHREY-HUNG TRIAL

1. FOLLOWING ARE TEXTS OF PRESS COVERAGE IN MAY 5 EDITIONS
OF NEW YORK TIMES AND WASHINGTON POST ON HUMPHREY-HUNG
TRIAL. WE WILL BE SENDING YOU PRESS ITEMS ON TRIAL ON
REGULAR BASIS FYI.

2. WASHINGTON POST ARTICLE BY JANE SEABERRY, FRIDAY
MAY 5: BEGIN QUOTE: CABLES WERE NOT VERY IMPORTANT SPY
TRIAL IS TOLD - AFTER A FORMAL ASSESSMENT A STATE DEPARTMENT
ANALYST DETERMINED THAT 63 CABLES ALLEGEDLY STOLEN FROM THE
UNITED STATES INFORMATION AGENCY AND PASSED TO HANOI
OFFICIALS INCLUDED LITTLE INFORMATION OF A SENSITIVE NATURE,
AN FBI OFFICIAL TESTIFIED YESTERDAY.

INDEED, THE ANALYST SAID THE DAMAGE CAUSED BY THE RELEASE
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OF THE CABLES WOULD BE .LIGHT., DONALD W. MARSLAND
TESTIFIED AT THE TRIAL OF A VIETNAMESE EXPATRIATE AND USIA
CIVIL SERVANT ACCUSED OF SPYING FOR THE COMMUNIST VIET-
NAMESE.

NEVERTHELESS, MARSLAND CHIEF OF A COUNTER INTELLIGENCE
UNIT IN THE FBI WASHINGTON FIELD OFFICE SAID THAT WHEN
AN INITIAL STATE DEPARTMENT ASSESSMENT OF THE CABLES CAME

UP WITH THE "LIGHT" DAMAGE ASSESSMENT, THE FBI ASKED FOR

A SECOND AND THEN A THIRD ASSESSMENT. NO ONE SAID WHAT THE SECOND AND THIRD EVALUATIONS REVEALED.

YESTERDAY'S TESTIMONY ON THE VALUE OF THE CABLES OCCURRED AS DEFENSE ATTORNEYS FOR DAVID TRUONG, THE VIETNAMESE EXPATRIATE, AND RONALD HUMPHREY, THE USIA EMPLOYEE, ATTEMPTED TO HAMMER HOME ONE OF THE CENTRAL POINTS OF THEIR DEFENSE. THIS IS THAT TRUONG AND HUMPHREY ARE INNOCENT OF ESPIONAGE CHARGES BECAUSE THEY DEALT ONLY IN "DIPLOMATIC CHIT CHAT" AND OTHER HARMLESS INFORMATION.

THE FBI WAS CONVINCED OTHERWISE, HOWEVER.

"MY IMPRESSION WAS (STATE DEPARTMENT ANALYST JAMES ROSENTHAL'S) DAMAGE ASSESSMENT WAS LOWER THAN EXPECTED," MARSLAND SAID.

MARSLAND TESTIFIED THAT ALTHOUGH THE "LIGHT" DAMAGE ASSESSMENT WAS MADE BY THE STATE DEPARTMENT'S DIRECTOR FOR VIETNAM, LAOS AND CAMBODIA, A MIDDLE ECHELON STATE DEPARTMENT OFFICIAL, PRESSURE WAS BEING PUT ON THE FBI FROM THE TOP OF THE STATE DEPARTMENT TO CONDUCT THE SECOND AND THIRD EVALUATIONS.

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MARK FOSTER, AN ATTORNEY FOR HUMPHREY, ASKED MARSLAND IF HE CALLED THE STATE DEPARTMENT AFTER REVIEWING ROSENTHAL'S ANALYSIS. "YES,, MARSLAND SAID.

"I TOLD HIM I FELT THE ROSENTHAL EVALUATION WAS NOT CONSISTENT WITH PRESSURE WE WERE RECEIVING FROM THE STATE DEPARTMENT," MARSLAND REPLIED. "I ASKED FOR A REEVALUATION TO BRING THESE DISCREPANCIES INTO LINE."

FOSTER THEN SHOWED MARSLAND A MEMORANDUM WRITTEN BY A STATE DEPARTMENT OFFICIAL QUOTING MARSLAND ABOUT THE "LIGHT" DAMAGE ASSESSMENT. THE MEMORANDUM SAID, "THIS KIND OF LANGUAGE CAN DAMAGE THE PROSECUTION."

MARSLAND TESTIFIED THAT HE DID NOT RECALL MAKING THE STATEMENT.

"THE THING I RECALL ABOUT THIS IS THAT IT'S NOT CONSISTENT WITH WHAT I'M BEING TOLD MR. (WARREN M.) CHRISTOPHER (DEPUTY SECRETARY OF STATE) SAID OF THE PENETRATION (EXTENT OF ESPIONAGE.)

THE GOVERNMENT HAS CHARGED HUMPHREY WITH STEALING THE CABLES FROM THE USIA AND GIVING THEM TO TRUONG WHO TURNED THEM OVER TO AN FBI INFORMANT. THE INFORMANT TESTIFIED EARLIER THIS WEEK THAT SHE DELIVERED THEM TO COMMUNIST OFFICIALS IN THE VIETNAMESE EMBASSY IN PARIS.

BOTH MEN ARE CHARGED WITH ESPIONAGE, ACTING AS UNREGISTERED FOREIGN AGENTS AS WELL AS STEALING CLASSIFIED DOCUMENTS.

THE 63 CABLES THAT WERE THE SUBJECT OF YESTERDAY'S TESTIMONY BEFORE JUDGE ALBERT V. BRYAN JR., IN U.S DISTRICT COURT IN ALEXANDRIA WERE ALLEGEDLY GIVEN TO AN FBI INFORMANT BY TRUONG IN APRIL 1977.

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THE 63 CABLES WERE THE SUBJECT OF THE STATE DEPARTMENT'S "LIGHT" DAMAGE ASSESSMENT.

"IF THE DAMAGE ASSESSMENT IS ACCURATE, THIS CASE ISN'T AS IMPORTANT AS YOU THOUGHT?" MICHAEL E. TIGAR, TRUONG'S ATTORNEY, ASKED MARSLAND. "NO, SIR," MARSLAND REPLIED.

MARSLAND HAD BEEN CALLED TO TESTIFY THAT THE DOCUMENTS INVOLVED IN THE CASE WERE VALUED AT MORE THAN \$100 WHICH IS NECESSARY FOR THE MEN TO BE CONVICTED OF FELONY CHARGES OF STEALING DOCUMENTS FROM THE GOVERNMENT.

AS MARSLAND TESTIFIED THAT THE DOCUMENTS WERE WORTH \$100 TO FOREIGN AGENTS, FOSTER, THROUGH A SERIES OF EXAMPLES, TRIED TO PROVE THAT THEY WERE NOT.

FOSTER SAID THAT A DOCUMENT RECITING WHAT THE THAILAND PRESS SAID ABOUT ACTIVITIES ON THE THAI BORDER--A PAPER LISTED IN THE INDICTMENT AS "SECRET"--WAS NOT VALUABLE BECAUSE THE INFORMATION WAS EASILY AVAILABLE AND WIDELY DISSEMINATED.

FOSTER ASKED MARSLAND ABOUT THE VALUE OF ANOTHER CABLE THAT DISCUSSED HOW VIETNAMESE RELATIONS WITH RUSSIA AND CHINA ARE BECOMING WORSE.

"YOU MEAN IF YOU CAN DOCUMENT WHAT SOMEBODY ALREADY KNOWS, IT'S VALUABLE?" FOSTER ASKED. "YES, I WOULD PAY OVER \$100 FOR THIS," MARSLAND SAID.

LATER, UNDER FOSTER'S CROSS-EXAMINATION, MARSLAND SAID THAT 14 FULL-TIME FBI AGENTS AND SEVERAL OTHERS HAD WORKED ON

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"WOULD YOU SAY THE TIME PUT INTO THE CASE MIGHT INFLUENCE THE VALUE (YOU WOULD GIVE TO) DOCUMENTS IN THIS CASE?" FOSTER ASKED. "NO IT WOULD NOT," MARSLAND TESTIFIED.

DEFENSE ATTORNEYS HAVE SHOWN INCREASING SARCASM DURING THE LAST TWO DAYS OF TESTIMONY IN THEIR ATTACKS ON THE GOVERNMENT EVIDENCE. THEY HAVE BEEN LAUGHING AND MAKING JOKES, CAUSING LAUGHTER AMONG THE JURORS AND EVEN FROM JUDGE ALBERT V. BRYAN JR., WHO IS HEARING THE CASE. U.S. PROSECUTORS APPEAR MORE SOLEMN.

IN OTHER TESTIMONY, RAY HARVEY, A USIA EMPLOYEE, TESTIFIED THAT ABOUT A YEAR AGO HUMPHREY ASKED TO SEE CLASSIFIED DOCUMENTS ON VIETNAM. HUMPHREY SAID HE NEEDED THE DOCUMENTS TO COMPLETE A REPORT THAT THE USIA DIRECTOR ORDERED, HARVEY SAID.

BUT USIA DIRECTOR JOHN E. REINHARDT TESTIFIED THAT HE NEVER ORDERED HUMPHREY TO CONDUCT SUCH A STUDY.

REINHARDT ENDED HIS TESTIMONY BY SAYING HE COULD NOT RECALL ANY "TOP SECRET" DOCUMENTS PASSING THROUGH THE USIA.

"I DON'T RECALL HAVING SEEN A SINGLE ONE IN THE COURSE OF THE 13 MONTHS I'VE BEEN HERE."

3. NEW YORK TIMES ARTICLE BY DAVID BURNHAM, FRIDAY MAY 5:

BEGIN QUOTE: CABLES IN SPY TRIAL CALLED NONSENSITIVE. A STATE DEPARTMENT EXPERT SAYS INFORMATION ALLEGEDLY WIRED TO VIETNAM CAUSED LITTLE HARM.

A STATE DEPARTMENT EXPERT ON SOUTHEAST ASIA FOUND LAST YEAR THAT THERE WAS "LITTLE OF A SENSITIVE NATURE IN THE UNCLASSIFIED

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DOCUMENTS" ALLEGEDLY TRANSMITTED TO VIETNAM BY TWO ALLEGED SPIES.

THE EXPERT FURTHER CONCLUDED THAT THE DAMAGE CAUSED BY THE DOCUMENTS FALLING INTO THE HANDS OF VIETNAMESE OFFICIALS IN PARIS "WAS LIGHT."

THE FINDINGS ABOUT THE RELATIVE IMPORTANCE OF THE STATE DEPARTMENT CABLES BECAME KNOWN TODAY WHEN EXCERPTS FROM A STATE DEPARTMENT DAMAGE ASSESSMENT REPORT WERE READ INTO THE RECORD OF THE ESPIONAGE TRIAL OF DAVID TRUONG, A PART-TIME GRADUATE STUDENT, AND RONALD L HUMPHREY, AN OFFICIAL IN THE UNITED STATES INFORMATION AGENCY.

ACCORDING TO ANOTHER DOCUMENT THAT WAS QUOTED BY A DEFENSE LAWYER IN THE TRIAL TODAY, THE LACK OF IMPORTANCE PLACED ON THE DOCUMENTS BY THE ORIGINAL "DAMAGE ASSESSMENT MEMORANDUM" PROMPTED THE FEDERAL BUREAU OF INVESTIGATION TO COMPLAIN TO THE STATE DEPARTMENT THAT THE ASSESSMENT "WOULD GIVE THE PROSECUTORS TROUBLE."

APPARENTLY PARTLY AS A RESULT OF THIS COMPLAINT BY DONALD W MARSLAND, THE SUPERVISING FBI OFFICIAL IN CHARGE OF THE ESPIONAGE INVESTIGATION, A SECOND AND THEN A THIRD DAMAGE ASSESSMENT MEMORANDUM WERE PREPARED. THE CONCLUSIONS OF THE LATER ASSESSMENTS HAVE NOT BEEN MADE KNOWN.

MOST SERIOUS CHARGE. THE FIRST STATE DEPARTMENT ASSESSMENT IS IMPORTANT BECAUSE IT BRINGS INTO QUESTION THE MOST SERIOUS CHARGE AGAINST MR HUMPHREY AND MR TRUONG: THAT THEY DELIVERED NATIONAL DEFENSE INFORMATION TO VIETNAM.

IN TESTIMONY YESTERDAY, A SERIES OF FBI AGENTS WHO WORKED UNCLASSIFIED

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ON THE CASE TESTIFIED THAT NONE OF THE CABLES THAT WERE SECRETLY AND TEMPORARILY INTERCEPTED BY THE GOVERNMENT ON THEIR WAY TO PARIS CONTAINED ANY TECHNICAL INFORMATION ABOUT SATELLITES, TROOP MOVEMENTS OR WEAPONS.

THE STATE DEPARTMENT ASSESSMENT THAT THERE WAS LITTLE SENSITIVE MATERIAL IN THE CABLES WAS WRITTEN BY JAMES ROSENTHAL, THEN THE CHIEF ANALYST FOR THE DEPARTMENT'S

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THE ASSESSMENT BECAME KNOWN WHEN MARK W FOSTER, ONE OF THE DEFENSE LAWYERS, QUOTED THE CONCLUSIONS OF THE FIRST ASSESSMENT AND ASKED MR MARSLAND, THE FBI SUPERVISOR, IF HE WAS AWARE OF THE STUDY.

"YES, I THINK THAT WAS SOMETHING LIKE HIS ORIGINAL ASSESSMENT," MR MARSLAND REPLIED.

MR FOSTER THEN ASKED MR MARSLAND WHETHER HE HAD COMPLAINED TO AN OFFICIAL IN THE STATE DEPARTMENT THAT THE KIND OF LANGUAGE USED BY MR ROSENTHAL "WOULD GIVE THE PROSECUTORS TROUBLE."

'ASSESSMENT NOT CONSISTENT.' MR MARSLAND SAID THAT HE DID NOT RECALL MAKING SUCH A STATEMENT. "I FELT THE ASSESSMENT WAS NOT CONSISTENT WITH THE KIND OF PRESSURE WE WERE GETTING FROM THE STATE DEPARTMENT ON THIS PENETRATION," HE SAID. "IT WAS NOT CONSISTENT WITH MR CHRISTOPHER'S ASSESSMENT."

MR MARSLAND WAS ALMOST CERTAINLY REFERRING TO WARREN CHRISTOPHER, THE DEPUTY SECRETARY OF STATE. IN A PRELIMINARY HEARING ON MARCH 20, ATTORNEY GENERAL GRIFFIN B BELL SAID THAT HE HAD BECOME AWARE OF THE ESPIONAGE CASE ON MAY 6, 1977, WHEN MR CHRISTOPHER TOLD HIM THAT THE UNITED UNCLASSIFIED

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STATES WAS CONFRONTED WITH A "GRAVE" PROBLEM BECAUSE "THE SECURITY OF THE STATE DEPARTMENT HAD BEEN COMPROMISED AND PENETRATED."

MR BELL FURTHER QUOTED MR CHRISTOPHER AS SAYING THAT "SOMEONE'S TAKING VERY IMPORTANT DOCUMENTS, CLASSIFIED DOCUMENTS, OUT OF THE STATE DEPARTMENT." END QUOTE. CHRISTOPHER

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FOL RPT STATE 114904 ACTION JAKARTA 5 MAY 78 QUOTE

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INDEED, THE ANALYST SAID THE DAMAGE CAUSED BY THE RELEASE OF THE CABLES WOULD BE .LIGHT., DONALD W. MARSLAND TESTIFIED AT THE TRIAL OF A VIETNAMESE EXPATRIATE AND USIA CIVIL SERVANT ACCUSED OF SPYING FOR THE COMMUNIST VIETNAMESE.

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Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2539587
Secure: OPEN
Status: NATIVE
Subject: PRESS COVERAGE OF HUMPHREY-HUNG TRIAL
TAGS: SOPN, PDIP, US, VM, (HUMPHREY, RONALD LOUIS), (TRUONG DINH HUNG)
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